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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/709,847

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Chien-Yi Shih

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12/15/2005

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION

P.O. BOX 506

MERRIFIELD, VA 22116

EXAMINER

TORRES, MARCOS L

ART UNIT

PAPER NUMBER

2687

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/709,847

Applicant(s)

SHIH, CHIEN-YI

Examiner

Marcos L. Torres

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 8, 11 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Narusawa US 20050143060A1.

As to claim 1, Narusawa discloses a wireless peripheral for a host (see par. 0047) comprising: a wireless module for communicating wireless signals with the host (see fig. 1, item 2; par. 00470); an alarm module for generating an alarm signal while receiving a control signal (see par. 0057); and a decision module between the alarm module and the wireless module; wherein when the wireless module and the host is disconnected, the decision module generates the control signal to the alarm module for generating the alarm signal (see par. 0049-0053).

As to claim 3, Narusawa discloses the wireless peripheral wherein the host is capable of transmitting a voice signal to the wireless module, the wireless peripheral further connecting to an interface module for transforming the voice signal into an

analog voice; the interface module generating an alarm sound while the alarm module receives the control signal (see par. 0056).

As to claim 8, Narusawa discloses the wireless peripheral wherein the host is capable of transmitting a service signal, the wireless peripheral further comprising an interface module for transferring the service signal received in the wireless module into sound or vibration (see par. 0056, 0058).

Regarding claim 11 is the corresponding system claim of apparatus claim 1. Therefore claim 11 is rejected for the same reason shown above.

Regarding claim 17 is the corresponding method claim of apparatus claim 1. Therefore claim 17 is rejected for the same reason shown above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Haller US 20030083011A1.

As to claim 2, Narusawa discloses a wireless peripheral wherein the wireless peripheral is a wireless handset (see par. 0056), the format of the alarm signal being one of the following: sound and vibration (see par. 0057-0058). Narasawa does not specifically disclose wherein the wireless peripheral is a wireless headset. In an analogous art, Haller wherein the wireless peripheral is a wireless headset (see par.

0050). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for the simple purpose of having a hands free communication.

5. Claims 4-6, 12-14 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Newman US005533959A.

As to claims 4-6, Narusawa discloses everything as disclosed above (see claim 1) except for the wireless peripheral wherein the host is capable of transmitting confirmation signals at different times; the decision module generating the control signal to the alarm module if the decision module has not received the confirmation signals for a predetermined time. In an analogous art, Newman discloses the wireless peripheral wherein the host is capable of regularly transmitting confirmation signals at different times; the decision module generating the control signal to the alarm module if the decision module has not received the confirmation signals for a predetermined time (see col. 7, lines 22-35), thereby confirming the connection. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

Regarding claims 12-14, they are the corresponding system claims of apparatus claims 4-6. Therefore, claims 12-14 are rejected for the same reason shown above.

Regarding claims 18-19, they are the corresponding method claims of apparatus claims 4-5. Therefore, claims 18-19 are rejected for the same reason shown above.

6. Claims 7, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Young US005196825A.

As to claims 7 and 9, Narusawa discloses everything as explained above (see claim 1 and 8) except for a wireless peripheral wherein the host transmits confirmation signals only when no other signals are to be transmitted to the wireless peripheral. In an analogous art, Young discloses a wireless peripheral wherein the host transmits confirmation signals only when no other signals are to be transmitted to the wireless peripheral (see col. 4, lines 38-42), thereby maintaining a connection between the devices. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

Regarding claim 15 is the corresponding system claim of apparatus claim 10. Therefore claim 15 is rejected for the same reason shown above.

7. Claims 10, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Law US005812056A.

As to claim 10, Narusawa discloses everything as disclosed above except for the wireless peripheral wherein the wireless module is capable of transmitting request signals at different times, the host transmitting a confirmation signals for responding to the request signals. In an analogous art, Law discloses the wireless peripheral wherein the wireless module is capable of transmitting request signals at different times, the host transmitting a confirmation signals for responding to the request signals (see col. 10, lines 12-29). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

Regarding claim 16 is the corresponding system claim of apparatus claim 10.  
Therefore claim 16 is rejected for the same reason shown above.

Regarding claim 20 is the corresponding method claim of apparatus claim 10.  
Therefore claim 20 is rejected for the same reason shown above.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Hsu US006816070B1 discloses a method of generating an alert for walkie-talkie when out of communicable distance.
  - b. Malek US 5,086,467 discloses generating a signal when no other signal is transmitted.

Any response to this Office Action should be mailed to:

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for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Customer Service Window  
Randolph Building  
401 Dulany Street

Alexandria, VA 22314


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-252-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marcos L Torres  
Examiner  
Art Unit 2687

  
mlt

  
**ELISEO RAMOS FELICIANO**  
**PATENT EXAMINER**